IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPEAL NO.9 OF 2004
IN
COMPANY APPLICATION NO.181 OF 2002
IN
COMPANY PETITION NO.39 OF 2002

Fiat Auto S.p.A. .. Appellant

Vs.

Premier Automobiles Ltd.& Ors. .. Respondents

Mr.Janak Dwarkadas i/b DSK Legal for the Appellant

Mr.Zubin Behram Kamadin i/b Amarchand & Mangaldas & Suresh A.Shroff & Co. for respondent no.1

Mr.Parag Kabadi i/b Doijode Phatarphekar & Associates for respondent no.2 and 11.

CORAM : S.U.KAMDAR, J

DATED : 11th March 2005

P.C.:

. Both the parties to the Company Appeal agrees to the following order:

1. That the impugned order dated 17.05.2004 passed in Company Application No. 181 of 2002 be hereby set aside.

2. Company application no.181 of 2002 is remanded back to the Company Law Board Bank,New Delhi for hearing afresh on its merits and after hearing the contention of the rival parties pass a detailed reasoned order.

3. In view of the fact that the application is pending since 2002, it is in the interest of justice that the Company Application be heard expeditiously and in any event on or before 30.04.2005.

Company Appeal disposed of accordingly. No order as to costs.